
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, FEBRUARY 22, 2022.

[20]

JOURNAL OF THE HOUSE.

Tuesday, February 22, 2022.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

At the request of Mr. DeCoste of Norwell, the members and employees stood in a moment of silent tribute to the memory of Evelyn Rita Valanzola. Born February 29, 1924 to Italian immigrants, she graduated from Girls High School in Roxbury in 1942 and earned a Degree in Fashion Design at Mass. Art.

Evelyn Rita
Valanzola.

She was the beloved mother of four sons and one daughter, 11 grandchildren, and four great-grandchildren. Evelyn was very artistic, loved painting, playing, and teaching her kids and grandkids piano. She was a fantastic cook; and was very fond of animals. Her vibrant personality will be missed.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4479), was filed with the Clerk on Friday, February 18.

Supplemental
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

Resolutions (filed with the Clerk by Mr. Whelan of Brewster) honoring Lieutenant James W. Plath on the occasion of his retirement from the Massachusetts State Police, were referred, under Rule 85, to the committee on Rules.

James
Plath.

Mr. Galvin of Canton, for the committee on Rules, reported, that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Initiative Petitions.

Initiative petition of Ronald T. Maloney Jr., and others for the passage of An Act relative to 21st century alcohol retail reform (House, No. 4377) (received on January 28, 2022, from the Secretary of the Commonwealth, having been transmitted by him

Alcohol,—
retail reform.

to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Initiative petition of Christina M. Ellis-Hibbet and others for the passage of An Act defining and regulating the contract-based relationship between network companies and app-based drivers (House, No. 4375) (received on January 28, 2022, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Financial Services. Sent to the Senate for concurrence.

Network companies and app-based drivers,—
(Version A).

Initiative petition of Christina M. Ellis-Hibbet and others for the passage of An Act defining and regulating the contract-based relationship between network companies and app-based drivers (House, No. 4376) (received on January 28, 2022, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Financial Services. Sent to the Senate for concurrence.

Network companies and app-based drivers,—
(Version B).

Initiative petition of Mouhab Rizkallah and others for the passage of An Act to implement medical loss ratios for dental benefit plans (House, No. 4378) (received on January 28, 2022, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Health Care Financing. Sent to the Senate for concurrence.

Dental benefit plans—
medical loss ratios.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Garry of Dracut and Senator Kennedy, a joint petition (accompanied by bill, House, No. 4482) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Tyngsborough be authorized to offer early voting and no excuse absentee voting in municipal elections. To the committee on Election Laws.

Tyngsborough,—
early voting.

By Representative Garry of Dracut and Senator Kennedy, a joint petition (accompanied by bill, House, No. 4483) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Tyngsborough be authorized to change the name of the board of selectmen of said town to a select board; and

Tyngsborough,—
select board.

By the same members, a joint petition (accompanied by bill, House, No. 4484) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Tyngsborough be authorized to establish the position of town manager in said town; Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Tyngsborough,—
town manager.

Petitions severally were presented and referred as follows:

By Representative Durant of Spencer and Senator Fattman, a joint petition (subject to Joint Rule 7B) of Peter J. Durant and Ryan C. Fattman that the town of

Charlton,—
civil service exemption.

Charlton to be authorized to exempt the police department of said town from certain provisions of the civil service law.

By Representative Ehrlich of Marblehead [filed prior to her resignation] and Senator Crighton, a joint petition (subject to Joint Rule 7B) of Lori A. Ehrlich and Brendan P. Crighton that the town of Swampscott be authorized to amend the charter of said town to change the board of selectmen to a select board.

Severally, under Rule 24, to the committee on Rules.

Swampscott,—
select board.

Papers from the Senate.

Bills

Renaming the board of selectmen in the town of Hingham to the select board (Senate, No. 2588) (on Senate bill No. 2491) [Local Approval Received];

Hingham,—
select board.

Establishing the third Saturday in July as Negro Election Day (Senate, No. 2703) (on Senate bill No. 2083);

Negro election
day.

Designating July 8 as Massachusetts Emancipation Day, also known as Quock Walker Day (Senate, No. 2704) (on Senate bill No. 2059); and

Quock Walker
Day.

Renaming the Board of Selectmen in the town of Cohasset to the select board and making certain other related gender-neutral changes (Senate, No. 2706) (on Senate bill No. 2474) [Local Approval Received];

Cohasset,—
select board.

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until December 31, 2022 within which time to make its final report on current Senate documents numbered 210, 262, 567, 1377, 1378, 1380, 1384, 1388, 1391, 1393, 1394, 1396, 1399, 1400, 1402, 1408, 1421, 1422, 1423, 1428, 1429, 1430, 1434, 1435, 1436, 1437, 1438, 1441, 1443, 1444, 1447, 1448, 1449, 1450, 1451, 1455, 1457, 1458, 1462, 1464, 1469, 1470, 1472, 1477, 1480, 1481, 1483, 1486, 1489, 1491, 1493, 1494, 1495, 1497, 1498, 1501, 1502, 1503, 1510, 1512, 1513, 1515, 1516, 1517, 1519, 1523, 1526, 1527, 1528, 1532 and 2600 relative to public health matters.

Public Health
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order (Senate, No. 2644) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 2705) of Marc R. Pacheco, Carol A. Doherty, Patricia A. Haddad and Norman J. Orrall (with approval of the mayor and city council) for legislation to authorize the city of Taunton to contract for the renewal of services relative to the operation and maintenance of its wastewater treatment plant, sewers and pump stations, for a term not to exceed five years, was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Taunton,—
contracts.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Kip A. Diggs (with the approval of the county commissioners) that Jeffrey H. Jackson be authorized to purchase creditable service from the Barnstable County Retirement Board;

Jeffrey
Jackson,—
retirement.

Petition (accompanied by bill) of Kip A. Diggs (with the approval of the county commissioners) that Matthew K. Sonnabend be authorized to purchase creditable service from the Barnstable County Retirement Board;

Matthew
Sonnabend,—
retirement.

Petition (accompanied by bill) of Kip A. Diggs (with the approval of the county commissioners) that Jacob M. White be authorized to purchase creditable service from the Barnstable County Retirement Board; and

Jacob White,—
retirement.

Petition (accompanied by bill) of Kate Lipper-Garabedian for legislation to establish a sick leave bank for Maryann Donie, an employee of the Executive Office of Technology Services and Security;

Maryann
Donie,—
sick leave.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill encouraging the growth of small businesses (House, No. 300), be scheduled for consideration by the House.

Small
businesses.

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

A report of the committee on Election Laws, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4326) of James J. O'Day, David Henry Argosky LeBoeuf and Daniel M. Donahue (with the approval of the mayor and city council) relative to school committee elections in the city of Worcester, was considered forthwith, under suspension of the rules, on motion of Mr. Ryan of Boston.

Worcester,—
school
committee.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill providing for a study to be conducted on the cost feasibility of implementing a ferry service to Long Island in Boston Harbor (House, No. 3395).

Boston,—
Long Island
ferry.

By the same member, for the same committee, on a petition, a Bill establishing a commission to examine a reorganization of the Registry of Motor Vehicles (House, No. 3612).

Registry of
Motor
Vehicles,—
reorganization.

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Finn of West Springfield, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to lift kids out of deep poverty (House, No. 199).

Children,—
benefits.

By the same member, for the same committee, on a petition, a Bill providing immediate childcare assistance to homeless families (House, No. 200, changed in section 1, in line 15, by striking out the word “development” and inserting in place thereof the word “developmental”).

Homeless
families,—
childcare.

By the same member, for the same committee, on a petition, a Bill relative to fair pay for comparable work (House, No. 237, changed in section 1, in line 19, by inserting after the word “affairs” the word “or”, and in line 20, by striking out the words “or the department of early education and care”).

Human services providers,— reimbursement.

By the same member, for the same committee, on a petition, a Bill to provide relief for the cost of child care (House, No. 245).

Child care,— expenses.

By the same member, for the same committee, on a petition, a Bill relative to basing dispositional orders on a child’s best interest (House, No. 3776, changed by striking out section 2 and inserting in place thereof the following:

Best interests of children orders.

“SECTION 2. Clause (2) of subsection (b) of section 26 of said chapter 119, as so appearing, is hereby amended by striking out subclause (i) and inserting in place thereof the following subclause:

(i) any person, including the child’s parent, who, after study by a probation officer or other person or agency designated by the court, is found by the court, at a court date set by the court no later than five business days after the study is ordered, to be qualified to give care to the child;”).

By the same member, for the same committee, on a petition, a Bill relative to educational support for children in foster care (House, No. 4068).

Foster care,— education.

By the same member, for the same committee, on House, No. 252, a Bill protecting vulnerable adults from financial exploitation (House, No. 4462).

Financial exploitation.

By the same member, for the same committee, on House, Nos. 273 and 276, a Bill to establish an office of youth development (House, No. 4463).

Youth development.

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill to establish a commission to review equitable city planning and development (House, No. 4028).

City planning commission.

By Mr. Day of Stoneham, for the committee on the Judiciary, on a petition, a Bill relative to escheat (House, No. 1508).

Deposits of property.

By the same member, for the same committee, on a petition, a Bill relative to firearm safety and harassment prevention orders (House, No. 1529).

Firearm safety.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails (House, No. 286).

Rail trails,— land acquisition.

By Mr. Ryan of Boston, for the committee on Election Laws, on a joint petition, a Bill, to allow the town of Hingham to postpone its municipal election (House, No. 4343) [Local Approval Received].

Hingham,— election.

By the same member, for the same committee, on a joint petition, a Bill establishing a voting precinct in the town of Hingham (House, No. 4344) [Local Approval Received].

Hingham,— voting precinct.

By the same member, for the same committee, on a petition, a Bill relative to polling places in the city known as the town of Braintree (House, No. 4353) [Local Approval Received].

Braintree,— polling places.

By Mr. Day of Stoneham, for the committee on the Judiciary, on Senate, No. 1086 and House, No. 1451, a Bill relative to speed limitations near waste or recycling collection vehicles (House, No. 1451).

Garbage, etc. trucks,— speed limits.

By the same member, for the same committee, on a petition, a Bill providing for the expungement of racially restrictive covenants in recorded real property documents (House, No. 1465).

Racially restrictive covenants.

By the same member, for the same committee, on a petition, a Bill establishing criminal responsibility for motor vehicle “hit and runs” on private property (House, No. 1498).

Hit and runs,—
responsibility.

By the same member, for the same committee, on a petition, a Bill relative to anti-litigation provisions in condominium documents (House, No. 1500).

Condominiums,—
anti-litigation.

By the same member, for the same committee, on a petition, a Bill relative to construction defect claims by condominium owners (House, No. 1501).

Condominiums,—
claims.

By the same member, for the same committee, on Senate, No. 1074 and House, No. 1513, a Bill to protect the privacy of 911 callers (House, No. 1513).

911 system,—
caller privacy.

By the same member, for the same committee, on Senate, No. 931 and House, No. 1515, a Bill to update expungement (House, No. 1515).

Sealed court
records.

By the same member, for the same committee, on a petition, a Bill concerning the arrest without a warrant of persons on probation and temporary custody (House, No. 1516).

Arrests
without
a warrant.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to increasing the fine for handicap parking violations for city/town implementation and compliance with the Americans with Disabilities Act (House, No. 3394).

Handicap
parking
violations.

By the same member, for the same committee, on a petition, a Bill regarding municipal truck routes (House, No. 3419).

Municipal
truck routes.

By the same member, for the same committee, on a petition, a Bill to increase safety on public ways (House, No. 3433).

Public ways.

By the same member, for the same committee, on a petition, a Bill relative to pup trailers (House, No. 3531).

Pup trailers.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Alecia Simmons, an employee of the Office of the Comptroller (Senate, No. 2654), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Relative to the filling of vacancies in the offices of the city council in the city of Springfield (House, No. 4223); and

Third
reading
bills.

Directing the city of Boston Police Department to waive the maximum age requirement for police officers for Daniel Flores (House, No. 4233);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Muratore of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.